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KEARNEY, HOLLEY & THOMPSON and
Former Counsel for USA Capital Diversified Trust Deed Fund*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,

Debtor.

In re:
USA CAPITAL REALTY ADVISORS, LLC,

Debtor.

In re:
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,

Debtor.

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,

Debtor.

In re:
USA SECURITIES, LLC,

Debtor.

Affects:

- ☒ All Debtors
☐ USA Commercial Mortgage Company
☐ USA Securities, LLC
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA First Trust Deed Fund, LLC

Case No. 06-10725-LBR
Case No. 06-10726-LBR
Case No. 06-10727-LBR
Case No. 06-10728-LBR
Case No. 06-10729-LBR

Chapter 11

**Jointly Administered Under
Case No. 06-10725-LBR**

**EX PARTE MOTION TO REMOVE COUNSEL FROM CM/ECF SERVICE LIST AND
REQUEST FOR DISCONTINUATION OF NOTICE AND SPECIAL NOTICE AND
CERTIFICATE OF SERVICE**

ANTHONY A. ZMAILA, ESQ., of the law firm SANTORO, DRIGGS, WALCH,
KEARNEY, HOLLEY & THOMPSON ("Santoro Driggs"), brings this Ex Parte Motion to
Remove Counsel from CM/ECF Service List and Request for Discontinuation of Notice and
Special Notice.

1 The Santoro Firm represented USA Commercial Mortgage Corp. in litigation pending in
2 the United States District Court for the District of Nevada captioned American Communities,
3 LLC, et al vs. USA Commercial Mortgage Company, et al., No. CV-S-01-0355-KJD-LRL.
4 The Santoro Firm resigned from representation. It is not necessary that Mr. Zmaila receive
5 CM/ECF notice.

6 The Santoro Firm represented USA Capital Diversified Trust Deed Fund, LLC et al, in
7 litigation pending in the District Court, Clark County, Nevada captioned Prospect High Income
8 Fund, et al v. USA Capital Diversified Trust Deed Fund, LLC, No. A453232. The action was
9 the subject of a claims objection filed in the USA Commercial Mortgage Corp. bankruptcy case,
10 No. BK-S-06-10725-LBR. Dkt. 1325. The Santoro Firm resigned from representation. It is not
11 necessary that Mr. Zmaila receive CM/ECF notice.

12 On November 8, 2006, Santoro Driggs filed Proof of Claim No. 80 in Case No. BK-S-06-
13 10728-LBR. Santoro Driggs designated Mr. Zmaila to receive notice of these proceedings. On
14 February 8, 2007, Santoro Driggs filed a Notice of Withdrawal of Proof of Claim and Certificate
15 of Service. Dkt. No. 2734. It is no longer necessary that Mr. Zmaila receive CM/ECF notice.

16 Therefore, Mr. Zmaila requests to be removed from the CM/ECF service list.

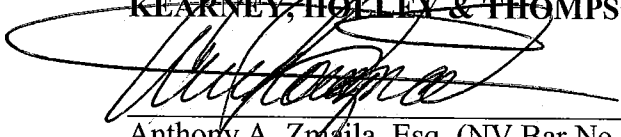
17 PLEASE TAKE NOTICE that Mr. Zmaila:

- 18 1. Requests discontinuation of notice in these proceedings, and
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2. Requests to be removed from the mailing matrix on all service lists in these proceedings and related adversary proceedings.

Dated this 25 day of July, 2007.

**SANTORO, DRIGGS, WALCH,
KEARNEY, HOLLEY & THOMPSON**



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and Former Counsel for USA Capital
Diversified Trust Deed Fund*

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Santoro, Driggs, Walch, Kearney, Holley & Thompson, and that on the 26th day of July, 2007, I caused to be served a true and correct copy of EX PARTE MOTION TO REMOVE COUNSEL FROM CM/ECF SERVICE LIST AND REQUEST FOR DISCONTINUATION OF NOTICE AND SPECIAL NOTICE in the following manner:

☒ (ELECTRONIC SERVICE) Under Administrative Order 02-1 (Rev. 8-31-04) of the United States Bankruptcy Court for the District of Nevada, the above-referenced document was electronically filed on the date hereof and served through the Notice of Electronic Filing automatically generated by that Court's facilities.

☐ (UNITED STATES MAIL) By depositing a copy of the above-referenced document for mailing in the United States Mail, first class postage prepaid, at Las Vegas, Nevada, to the parties listed on the attached service list, at their last known mailing addresses, on the date above written.

☐ (OVERNIGHT COURIER) By depositing a true and correct copy of the above-referenced document for overnight delivery via Federal Express, at a collection facility maintained for such purpose, addressed to the parties on the attached service list, at their last known delivery address, on the date above written.

☐ (FACSIMILE) That I served a true and correct copy of the above-referenced document via facsimile, to the facsimile numbers indicated, to those persons listed on the attached service list, on the date above written.



An employee of Santoro, Driggs, Walch,
Kearney, Holley & Thompson